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Prevention of an arms race in outer space**Letter dated 18 September 2002 from the Permanent
Representatives of China and the Russian Federation to the
United Nations addressed to the Secretary-General**

We have the honour to transmit herewith the text of the document entitled "Possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects", issued and circulated as an official document of the Conference on Disarmament (CD/1679) on 28 June 2002 (see annex). The elements contained in the document are in the process of further development and improvement.

We should be grateful if the text of the present letter and its annex were circulated as an official document of the General Assembly, under item 66 of the provisional agenda.

(Signed) **Wang Yingfan**
Ambassador

Permanent Representative of the
People's Republic of China to the United Nations

(Signed) **Sergey V. Lavrov**
Ambassador

Permanent Representative of the
Russian Federation to the United Nations

* A/57/150.



Annex to the letter dated 18 September 2002 from the Permanent Representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

[Original: Arabic, Chinese, English,
French, Russian and Spanish]

Possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects

Working paper submitted by the delegations of China, the Russian Federation, Viet Nam, Indonesia, Belarus, Zimbabwe and the Syrian Arab Republic*

I. Possible Name of Such Agreement

Treaty on the Prevention of the Deployment of Weapons in Outer Space, the threat or Use of Force Against Outer Space Objects

II. Preamble

Outer space is the common heritage of mankind and plays an ever-increasing role in its future development.

There exists a potential danger of an armed confrontation and combatant activities being extended to outer space.

The prevention of the deployment of weapons and an arms race in outer space becomes a pressing task facing the international community.

The United Nations General Assembly has adopted a series of resolutions on peaceful use of outer space and prevention of an arms race in outer space, which have provided a prerequisite and basis for the prevention of the deployment of weapons and an arms race in outer space.

The existing agreements on arms control and disarmament relevant to outer space, including those bilateral ones, and the existing legal regimes concerning outer space have played a positive role in the peaceful use of outer space and in regulating outer space activities. These agreements and legal regimes should be strictly complied with. However, they are unable to effectively prevent the deployment of weapons and an arms race in outer space.

For the benefit of mankind, outer space shall be used for peaceful purposes, and it shall never be allowed to become a sphere of military confrontation.

Only a treaty-based prohibition of the deployment of weapons in outer space and the prevention of the threat or use of force against outer space objects can eliminate the emerging threat of an arms race in outer space and ensure the security for outer space assets of all countries which is an essential condition for the maintenance of world peace.

* Originally issued as a document of the Conference on Disarmament under the symbol CD/1679.

III. Basic Obligations

Not to place in orbit around the Earth any objects carrying any kinds of weapons, not to install such weapons on celestial bodies, or not to station such weapons in outer space in any other manner.

Not to resort to the threat or use of force against outer space objects.

Not to assist or encourage other States, groups of States, international organizations to participate in activities prohibited by this Treaty.

IV. National Measures for the Implementation of the Treaty

Each State Party to the Treaty shall, in accordance with its constitutional process, take any measures necessary to prevent or prohibit any activity contrary to this Treaty on its territory, or in any other place under its jurisdiction or control.

V. The Use of Outer Space for Peaceful and Other Military Purposes

This Treaty shall not be construed as impeding the research and use of outer space for peaceful purposes or other military uses not prohibited by this Treaty.

Each State Party to the Treaty shall carry out activities in outer space in accordance with the general principles of international law and shall not violate the sovereignty and security of other States.

VI. Confidence Building Measures

To enhance mutual trust, each State Party to the Treaty shall promulgate its space programme, declare the locations and scopes of its space launch sites, the property and parameters of objects being launched into outer space, and notify the launching activities.

VII. Settlement of Disputes

If a suspicion arises against any State Party to the Treaty that it is violating the Treaty, the suspecting State Party, or a group of the suspecting State Parties to this Treaty shall conduct consultations and cooperate with the suspected State Party to this Treaty in order to settle down the aroused suspicion. Each suspecting State Party to this Treaty shall have the right to request clarification from the suspected State Party to this Treaty, whereas the suspected State Party to this Treaty shall undertake to provide requested clarifications

If consultations or clarification fail to settle down the dispute, the suspicion that has aroused shall be referred to the executive organization of the Treaty for consideration together with relevant arguments.

Each State Party to this Treaty shall undertake to cooperate in the settlement of the suspicion that has aroused by the executive organization of the Treaty.

VIII. The Executive Organization of the Treaty

To promote the objectives and implementation of the provisions of this Treaty, the States Parties to the Treaty shall hereby establish the executive organization of the Treaty, which shall:

(a) receive for consideration inquires by any State Party or a group of States Parties to the Treaty related to the suspicion, which has aroused by the violation of this Treaty by any State Party to the Treaty;

(b) consider matters concerning the compliance with the obligations taken by the States Parties to this Treaty;

(c) organize and conduct consultations with the States Parties to the Treaty with a view to settling down the suspicion that has aroused against any State Party to the Treaty concerning its violation of this Treaty;

(d) take necessary measures to end violation of this Treaty by any State Party to the Treaty.

IX. Amendments to the Treaty

Any State Party to this Treaty may propose amendments to the Treaty. The text of any proposed amendment to this Treaty shall be submitted to the Depositary Governments who shall promptly circulate it to all the States Parties to the Treaty. Upon the request of at least one third of the States Parties to the Treaty, the Depositary Governments shall convene a conference to which all the States Parties shall be invited to consider the proposed amendment.

Any amendment to this Treaty must be approved by a majority of the votes of all the States Parties to the Treaty. The amendment shall enter into force for all the States Parties to the Treaty in accordance with the procedures governing the entry into force of this Treaty.

X. Duration of the Treaty and Withdrawal from the Treaty

The Treaty shall be of unlimited duration.

Each State Party to the Treaty shall, in exercising its state sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized its supreme interests. It shall give notice to the Depository Governments of the decision adopted six months in advance of the withdrawal from the Treaty. Such a notification shall include a statement of the extraordinary events, which the notifying State Party to the Treaty regards as having jeopardized its supreme interests.

XI. Signature and Ratification of the Treaty

This Treaty shall be open for signature by all States at United Nations Headquarters in New York. Any State, which does not sign this Treaty before its entry into force, may accede to it at any time.

The Treaty shall be subject to ratification by signatory States in accordance with their constitutional process. Instruments of ratification or accession shall be deposited with the Depository Governments.

This Treaty shall be registered by the Depository Governments pursuant to Article 102 of the Charter of the United Nations.

XII. Entry into Force of the Treaty

This Treaty shall enter into force upon the deposit of instruments of ratification by twenty States, including all Permanent Member States of the United Nations Security Council.

For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

XIII. Authentic texts of the Treaty

This Treaty, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the Depository Governments, who shall send duly certified copies thereof to all the signatory and acceding States.